

Comprehensive Plan Revision

December 30, 2014

The Cecil Group recommends that the following amendments would need to be made to the Comprehensive Community Plan for that Plan and the related rezoning for the Tiverton Glen (formerly Tiverton Crossings) proposal from the Carpionato Group to be consistent with the goals and policies of the plan.

Notes:

Headings and page numbers are referenced from; *The Comprehensive Community Plan, 2006 Update, Revised 2009*, Adopted by the Tiverton Planning Board and Tiverton Town Council; June 22, 2009, and Certified by the Department of Administration; November 16, 2009

Text amendments proposed by the Carpionato Group are designated as follows:

[Proposed amendment](#)

Text amendments proposed by The Cecil Group are designated as follows:

[Proposed amendment](#)

Rural Character, page 32

Original text

“Rural character is somewhat difficult to define; yet it is unequivocally clear that people want to keep it. Rural character is a combination of many "small town" things about Tiverton that makes it charming--its open land, trees, scenic views, country lanes, stone walls, historic buildings, farms, wildlife and many other qualities that are associated with "country life" that disappear in sprawling, unplanned suburban and urban development. But they do not have to disappear if Tiverton is willing to plan and manage its future development. Many tools are presently available; from administrative actions like zoning and subdivision site plan processes to volunteer efforts such as land trusts. If these tools are carefully thought-out and implemented, it is possible to provide ample opportunity for housing development and economic growth while still retaining the town's rural character. In fact, this is not only possible, but studies have shown that such management practices actually enhance rather than inhibit local economies, because they ensure a community will continue to be a desirable place to live and work.”

Proposed Revised Text

Add a new paragraph at the end of this section:

It is clear that all areas of town do not contribute equally to defining local, rural character. Neither does the town have absolute control on the use of private property. So using the methods for land use management identified above, change and development should be granted where a proposed project is located and designed in a manner that is consistent with elements of the neighborhood character.

Prime Agricultural Land, page 32

Original text

“Farmlands are an important resource in the town. According to RIGIS there are approximately 4,866 acres consisting of soils that are suitable for use as prime agricultural land in Tiverton. Those areas are illustrated in Figure 4-5.¹ Agricultural land is generally well-drained, deep loam soils that are also ideal for building sites. Therefore, there is inevitable pressure to develop on soils that form the best cropland in town.”

Proposed Revised Text

Add a new sentence at the end of this paragraph:

The decision of whether to allow redevelopment on areas of prime agricultural soils should be weighed against the expected benefits of non-agricultural use on the soils, particularly those areas where prime agricultural soils are not under a current agricultural use.

Historic Resources, page 34

Original text

“An inventory of historic and architectural resources prepared by the Rhode Island Historical Preservation Commission (RIHPC) in 1983 identified significant buildings, historic districts and areas, and historic sites in Tiverton. This inventory serves as a basis for prioritizing historic preservation efforts. Figure 4-6 indicates the locations of the resources identified in this survey (as updated) that are on or eligible for listing on the National Register of Historic Places. These resources are listed in Table 4-1. As of 2006, there are three historic districts formally listed on the National Register, the Tiverton Four Corners Historic District, the Cook-Bateman Farm Historic District, and most recently, the Osborne-Bennett Historic District² on Main Road, each containing

¹ The proposed project is on Prime Farmland Soils and Important Farmland Soils (Figure 4-5 Agricultural Soils)

² The proposed project is within the Osborne-Bennett Historic District site (Figure 4-6 Historic Resources).

numerous historic structures. There are also two properties individually listed, Fort Barton and the Joseph Hicks House.”

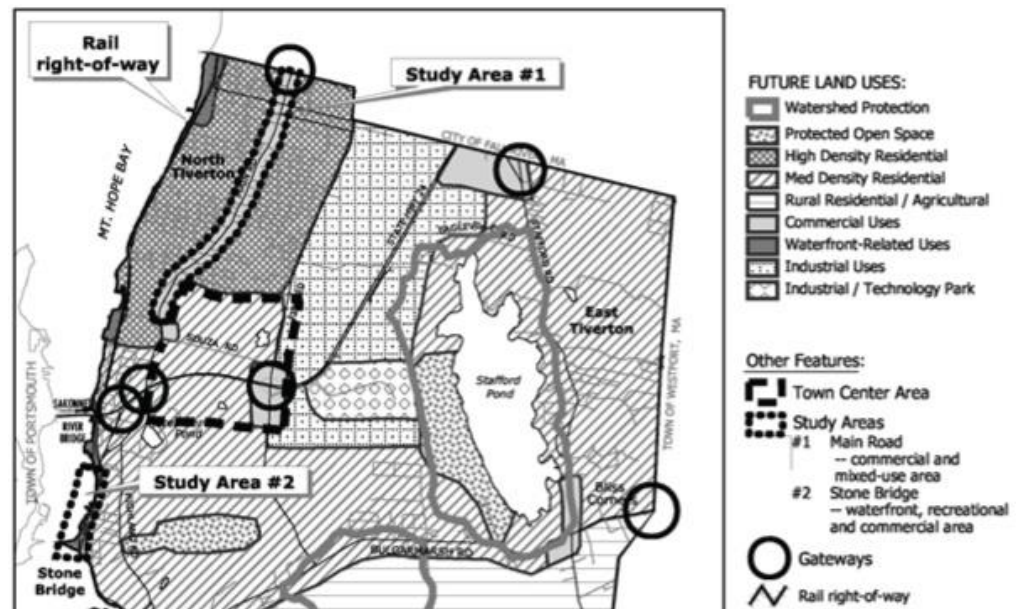
Proposed Revised Text

Add a new paragraph after this text:

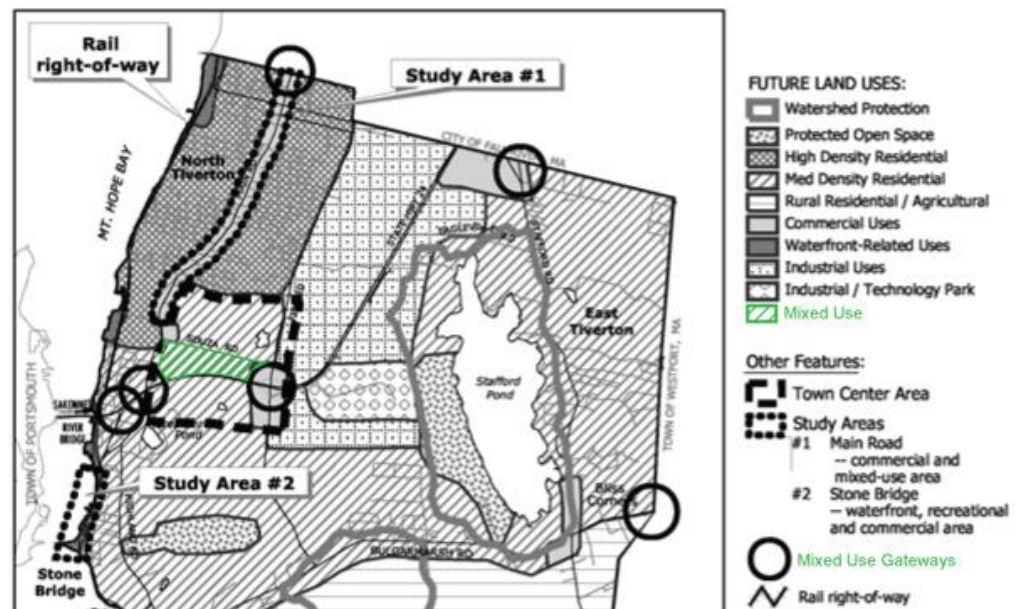
The highest priority is placed on preserving significant buildings and their context within the contributing landscape. A lower priority will be placed on preserving non-contributing property and landscape.

Future Land Use Plan, page 59

Original figure



Proposed Revised figure



Original text

“Starting in 2003 and throughout all of 2004, the Tiverton Planning Board, and the town in general, worked on developing zoning regulations to govern future development on commercially zoned parcels and other strategically located parcels in the Route 24 area. The area is under immense pressure for the development of a regional mall and the town would like any development to be done as a planned or mixed use development that includes a residential component.

“A moratorium on development of certain parcels in the Route 24 area was passed by the Town Council in 2003, and a Town Center Planning Study, funded by a grant (CDBG) provided through the Church Community Housing Corporation, was completed in 2004. After numerous public workshops and Planning Board public meetings, it was determined that a town center or village concept was the most desirable development approach. The town center concept would include a mixture of uses such as retail, restaurant, office, municipal, public and residential. The study resulted in a zoning overlay proposal to allow a certain level of retail development by right and additional development (measured by the square footage of proposed retail) when land is set aside for municipal, public and/or residential use. The residential development, at a density greater than that allowed by the underlying or comparable residential zoning, would require a 30% set aside for low and moderate income units.

While the situation, as of this writing, is evolving, the town expects development to occur in these critically located areas of town, and that development to include a residential component. Based on the town center overlay zoning regulations, a “Tiverton Town Center” mixed-use development could occur in a Highway Commercial area between Souza Road and Route 24. This would include 50 residential units, 15 of these affordable. Another development, submitted as a concept plan by the developer in an R-40 District abutting Route 24 to the south, would more accurately be described as a “lifestyle center” where the residential use is predominant. The “Tiverton Village” proposal would have some office, retail and public uses, but support 115 residential units in a mixture of housing styles, with 35 set aside as affordable. Together these developments would generate 50 affordable units.”

Proposed Revised Text

Remove the last sentence of the second paragraph:

~~The residential development, at a density greater than that allowed by the underlying or comparable residential zoning, would require a 30% set aside for low and moderate income units.~~

Amend the third paragraph as follows:

While the situation, as of this writing, is evolving, the town expects development to occur in these critically located areas of town, and that development to include a residential component. Based on the town center overlay zoning regulations, a “Tiverton Town Center” mixed-use development could occur in a Highway Commercial area between Souza Road and Route 24. This would include 50 residential units, ~~15 of these affordable~~. Another development, submitted as a concept plan by the developer in an R-40 District abutting Route 24 to the south, would more accurately be described as a “lifestyle center” where the residential use is predominant. The “Tiverton Village” proposal would have some office, retail and public uses, but support 115 residential units in a mixture of housing styles, ~~with 35 set aside as affordable. Together these developments would generate 50 affordable units.~~

Original text

“Policy 8: Adopt and enforce zoning ordinance requirements to allow the development of mixed-use town center and lifestyle center developments that require such developments to set aside a minimum of 30% of the housing units as affordable.”

Proposed Revised Text

Strike the text:

Policy 8: ~~Adopt and enforce zoning ordinance requirements to allow the development of mixed-use town center and lifestyle center developments that require such developments to set aside a minimum of 30% of the housing units as affordable.~~

And replace with:

Policy 8: Mixed-use town center and lifestyle center developments are excluded from any requirements to create affordable housing units.

Tiverton's Agenda for Action, page 162 and onwards

Original text (relevant items)

“4.3 a. Work with developers to promote rural residential developments as the preferred type of development pattern.

b. Use the services of professional design consultants in the design of rural and conservation developments.

4.6 Adopt specific design standards for new commercial and mixed use developments in town.

5.6 Support industrial and commercial uses that result in net tax revenue and are compatible with the small town and rural character of the town.

6.5 Strengthen and clarify zoning provisions that allow multi-family dwellings.

6.6 Evaluate zoning provisions that allow mixed use residential.

6.7 Continue to mandate the set aside of a minimum of 20% and 30% affordable units for single family, and multi-family developments, respectively.

6.8 Adopt zoning ordinance requirements to allow the development of mixed-use town center and lifestyle center developments that require a minimum of 30% affordable housing units.

6.13 Amend the Zoning Ordinance so that all comprehensive permit applications submitted are evaluated according to the goals and policies set forth in the Affordable Housing Plan.

9.5 Protect farmland through active involvement in funding programs that preserve land for agricultural use.

10.2 a. Support and promote new commercial development that primarily serve local needs and reflect and/or compliment the unique character of Tiverton.

b. Consider the development of a “Tiverton Town Center” that consists of a comprehensive mixed use development

10.8 Evaluate zoning regulations addressing mixed uses.”

Proposed Revised Text

Amend the text as follows:

4.3 a. Work with developers to promote rural residential developments as the preferred type of development pattern except in the case of new mixed-use development.

5.6 Support industrial and commercial uses that result in net tax revenue and are compatible with the small town and rural character of the town except in the case of new mixed-use development.

6.7 Continue to mandate the set aside of a minimum of 20% and 30% affordable units for single family, and multi-family developments, respectively except in the case of new mixed-use development.

6.8 Adopt zoning ordinance requirements to allow the development of mixed-use town center and lifestyle center developments without the requirement for that require a minimum of 30% affordable housing units.

6.13 Amend the Zoning Ordinance so that all comprehensive permit applications submitted are evaluated according to the goals and policies set forth in the Affordable Housing Plan except in the case of new mixed-use development.

9.5 Protect farmland through active involvement in funding programs that preserve land for agricultural use except in the case of new mixed-use development.